

JOURNAL OF THE HOUSE.

Monday, December 27, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petruccelli of Boston in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Eternal God, during the closing days of this calendar year, we take this moment to reflect on our personal and legislative accomplishments. We also take a look at our goals and hopes which were not met or reached. But there is always next year. We are grateful that with Your guidance and assistance we have tried to serve the people in our communities in a conscientious and honorable manner. To meet and address the long list of the needs of people is a formidable task. Teach us to learn from our past personal and legislative successes, as well as from our failures, as we plan for the future of the people and this Commonwealth.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petruccelli), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Walrath of Stow) congratulating Andrew M. Cutting on receiving the Eagle Award of the Boy Scouts of America; and

Andrew M.
Cutting.

Resolutions (filed by Mrs. Walrath of Stow) congratulating Shane O'Brien Markey on receiving the Eagle Award of the Boy Scouts of America;

Shane
O'Brien
Markey.

Mr. Petrolati of Ludlow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Lepper of Attleboro, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Report of a Committee.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill establishing a sick leave bank for James E. Vesey, an employee of the Trail Court (Senate, No. 2513, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

James E.
Vesey,
sick leave
bank.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Smizik of Brookline, the bill was read a second time forthwith; and it was ordered to a third reading.

Emergency Measure.

Public safety
officers,
appointment.

The engrossed Bill increasing the minimum age for appointment as a police officer (see House, No. 4218), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Bill
re-enacted.

The engrossed Bill relative to the underground cable reimbursement schedule (see House, No. 4892, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Bills
enacted.

Authorizing the town of Orleans to issue bonds to create or preserve affordable housing (see Senate, No. 2021);

Authorizing self-monitoring and treatment of students with diabetes (see Senate, No. 2231);

Relative to the charter in the city of Peabody (see Senate, No. 2492);

Authorizing the town of Millbury to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2493);

(Which severally originated in the Senate);

Relative to the appointment of special police officers in the city of Melrose (see House bill printed as Senate, No. 2452, amended);

Ceding concurrent jurisdiction to the United States over certain property located at the former Devens Army Base (see House, No. 1141);

Prohibiting fees for mailing bills or invoices (see House, No. 4398, amended);

Providing for the appointment of a clerk-treasurer of the Onset Fire District (see House, No. 4932); and

Relative to the granting of all alcoholic beverages licenses to be drunk on the premises by the town of Rockport (see House, No. 5107);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills

Relative to certain school construction projects in the town of Milton (Senate, No. 1974, changed);

Third
reading
bills.

Relative to the financial conditions in the town of Southbridge (Senate, No. 2518, amended); and

Authorizing the city of Watertown to make certain payments (printed as House, No. 3866);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills

Relative to elections in the city of Boston (House, No. 4844) (its title having been changed by the committee on Bills in the Third Reading);

Third
reading
bills.

Authorizing the town of Shrewsbury to establish a certain fund (House, No. 4857);

Increasing the borrowing limit of the town of Milford for the funding of the geriatric authority of Milford (House, No. 5121);

Providing for creditable service for certain teachers (House, No. 5131);

Authorizing a certain question to be placed on the ballot in the town of Lancaster (printed in House, No. 5133); and

Exempting certain positions in the town of Winthrop from civil service law (House, No. 5149);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill relative to vessel safety (House, No. 5165), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Vessel
safety.

Pending the question on passing the bill to be engrossed, Mr. Rogers of Norwood moved that it be amended by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith protect the waterways of the Commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 5165, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At three minutes after twelve o'clock noon, on motion of Mr. Lepper of Attleboro (Mr. Petrucci of Boston being in the Chair), the House recessed until twenty minutes before one o'clock P.M.; and at five minutes after one o'clock the House was called to order with Mr. Petrucci in the Chair.

Recess.

Emergency Measure.

Vessel
safety.

The engrossed Bill relative to vessel safety (see House, No. 5165, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 4 to 0. Sent to the Senate for concurrence.

Bill
enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Bill
enacted.

The engrossed Bill relative to the financial conditions in the town of Southbridge (see Senate, No. 2518, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Order.

Next
sitting.

On motion of Mr. DiMasi of Boston,—
Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

At thirteen minutes before two o'clock P.M., on motion of Mr. Lepper of Attleboro (Mr. Petruccelli of Boston being in the Chair), the House adjourned, to meet on Thursday next at eleven o'clock A.M., in an Informal Session.